

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT**

IN RE: Linda D. Woods

CASE NO. 18-10030

DEBTOR(S)

CHAPTER 13

MOTION TO SELL REAL PROPERTY

COME(S) NOW, the Debtor(s), by and through counsel of record, and for the Motion state(s):

1. That the Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on January 4, 2018.
2. That the Debtor now wishes to sell the real property commonly known as 791 Shamrock Loop, Byhalia, MS 38611 (“subject property”). The subject property is located in Marshall County, Mississippi and more particularly described as follows, to-wit:

Lot 8, Cooper Road Farms, Phase I, located in Section 22, Township 3 South, Range 5 West, Marshall County, Mississippi as per the plat recorded in Plat File 899-A, in the Office of the Chancery Clerk of Marshall County, Mississippi.
3. O’Brien Law Firm has been retained to handle the Debtor’s/Seller’s side of the closing.
4. Equity in the subject property has been claimed as exempt homestead property under M.C.A. § 85-3-21 up to maximum allowed amount of \$61,280.00. (see Schedule C at Dkt. #7)
5. Closing costs and real estate commissions will be paid at closing.
6. The Debtor has contracted to sell the subject property for \$60,000.

7. Debtor does not expect to net proceeds in excess of the homestead exempt limit of \$61,280.00 from this proposed sale. In the event that there are proceeds realized by the Debtors in excess of \$61,280.00, O'Brien Law Firm, LLC shall tender the excess proceeds to the Chapter 13 Trustee within 24 hours of the actual closing date to be paid for the benefit of unsecured creditors on a *pro rata* basis and for Trustee fees and costs. Regardless of the actual amount of proceeds realized by the Debtor from the sale of the property, O'Brien Law Firm, LLC will provide the Trustee a copy of the signed final settlement statement or closing disclosure within 24 hours of the actual closing date.
8. The closing date has been set for August 4, 2022, so the Debtor request that this matter be heard on an expedited basis.

WHEREFORE PREMISES CONSIDERED, the Debtor(s) pray(s) that this Honorable Court enter an order wherein the Debtor is allowed to sell the above described subject property pursuant to the terms set forth above and for such further relief to which she may be entitled.

Respectfully Submitted,

/s/ Kevin F. O'Brien
Kevin F. O'Brien MSB#10731
O'Brien Law Firm
1890 Goodman Rd. East
Suite 201
Southaven, MS 38671
662-349-3339

CERTIFICATE OF SERVICE

I, Kevin F. O'Brien, do hereby certify that I have, on this day, electronically mailed or mailed by U.S. Mail, postage prepaid, a true and correct copy of the above foregoing Motion to Sell Real Property to the following parties at the addresses set forth below:

Locke D. Barkley, Chapter 13 Trustee
sbeasley@barkley.com

U.S. Trustee
USTPRegion05.AB.ECF@usdoj.gov

This the 27th day of July, 2022.

/s/ Kevin F. O'Brien
Kevin F. O'Brien
Certifying Attorney